

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44394 of 2014

Arising Out of PS.Case No. -42 Year- 2014 Thana -AHIAPUR District- MUZAFFARPUR

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Rajesh Sah Son of Madan Sah, R/o Mohalla Bhagwanpur Chowk, P.S.
Sadar, District Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-04-2015

Heard both sides.

The petitioner seeks bail in Ahiyapur P.S. Case No. 42 of 2014, corresponding to S. T. No. 529/14, under Section 364 and other sections of the Indian Penal Code. Later on, Sections 302 and 201 of the Indian Penal Code were added.

The informant made allegation that when his son demanded the dues of fish from the petitioner, some altercation took place and the petitioner along with three other unknown persons kidnapped his son Md. Sohrab and the dead body of Md. Sohrab was found.

Sri Ajay Kumar Thakur, learned counsel for the petitioner, submits that there is no eye witness on the point of killing of the deceased but it has come that the petitioner and others kidnapped the victim boy. All the four witnesses, who are

said to have seen the petitioner kidnapping the victim, have already been examined, but they have not support the prosecution case.

Having considered the fact that specific allegation is made against the petitioner that he along with three unknown persons kidnapped the victim and killed him, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt of this order. If the trial is not concluded within the stipulated period of time, the petitioner may renew his prayer for bail firstly in the trial court.

(Prabhat Kumar Jha, J)

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